

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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U.S. BANK NATIONAL ASSOCIATION,
Plaintiff,
v.
SFR INVESTMENTS POOL 1, LLC, *et al.*,
Defendants.

Case No. 2:16-cv-2804-JCM-GWF

ORDER

Presently before the court is defendant SFR Investments Pool 1 LLC's demand for security of costs against plaintiff U.S. Bank National Association.¹ (ECF No. 7).

"When a plaintiff in an action resides out of the State, or is a foreign corporation, security for the costs and charges which may be awarded against such plaintiff may be required by the defendant" Nev. Rev. Stat. § 18.130. Further, "[i]t is the policy of the United States District Court for the District of Nevada to enforce the requirements of [Nevada Revised Statute ("NRS") §] 18.130 in diversity actions." *Feagins v. Trump Org.*, 2012 WL 925027 (D. Nev. 2012) (citing *Hamar v. Hyatt Corp.*, 98 F.R.D. 305, 305–6 (D. Nev. 1983); *Arrambide v. St. Mary's Hosp., Inc.*, 647 F.Supp. 1148, 1149 (D. Nev. 1986)).

In its complaint, plaintiff states that it "is a national banking association whose main office is located in Cincinnati, Ohio. For diversity purposes, [plaintiff] is a citizen only of Ohio." (ECF No. 1 at 2).

¹ Plaintiff appears as Trustee for the Holders of the First Franklin Mortgage Loan Trust Mortgage Pass-Through Certificates, Series 2006-FF2. (ECF No. 1).

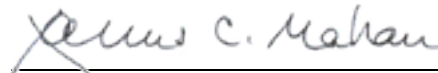
1 This court finds that defendant properly invokes NRS 18.130. Pursuant to that statute,
2 plaintiff is to deposit \$500.00 with the clerk of court for “costs and charges as may be awarded”
3 in this case. Nev. Rev. Stat. § 18.130.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant’s demand
6 for security costs, (ECF No. 7) be, and the same hereby is, GRANTED.

7 IT IS FURTHER ORDERED that plaintiff shall post a cost bond in the amount of
8 \$500.00 or make a cash deposit of \$500.00 as to SFR Investments Pool 1, LLC within seven (7)
9 days of the entry of this order.

10 DATED THIS 27th day of February, 2017.

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12 JAMES C. MAHAN
13 UNITED STATES DISTRICT JUDGE
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